



# PUBLIC NOTICE

**Federal Communications Commission**  
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**REMINDER THAT VIDEO RELAY SERVICE (VRS) PROVIDES ACCESS TO THE  
TELEPHONE SYSTEM ONLY AND CANNOT BE USED AS A SUBSTITUTE FOR “IN-  
PERSON” INTERPRETING SERVICES OR VIDEO REMOTE INTERPRETING (VRI)**

The Commission issues this Public Notice to remind VRS providers, consumers, and businesses that Video Relay Service (VRS) cannot be used as a substitute for “in-person” interpreting services or for Video Remote Interpreting (VRI).

VRS, as a form of telecommunications relay service (TRS), is a means of giving persons with hearing disabilities access to the telephone system. The obligation of telephone companies to offer TRS is required by Congress under Title IV of the Americans with Disabilities Act of 1990 (ADA). VRS allows people with hearing disabilities whose primary language is American Sign Language (ASL) to use the Internet or another broadband connection to contact a communications assistant (CA) via video equipment. The CA then makes an outbound telephone call to a hearing person and relays the call between the two parties. Currently, the costs for VRS calls are reimbursed from the Interstate TRS Fund, which is overseen by the Commission, making VRS calls free for consumers.

By contrast, sign language interpreters facilitate communication between individuals who use sign language to communicate and those who do not. An interpreter may be used in many situations – *e.g.*, in classrooms, during medical appointments, at staff meetings, or for business transactions – when the parties are together at the same location. Generally, interpreters are contracted and paid for on a fee-for-service basis. Video Remote Interpreting (VRI) is a service that is used when an interpreter cannot be physically present to interpret for two or more persons who are together at the same location. This service uses a video connection to provide access to an interpreter who is at a remote location. As with “in-person” interpreters, VRI services are generally contracted and paid for on a fee-for-service basis.

VRS is to be used only when a person with a hearing disability, who absent such disability would make a voice telephone call, desires to make a call through the telephone system (or when, in the reverse situation, the hearing person desires to make such a call to a person with a hearing disability).<sup>1</sup> VRS may not be used as a substitute for an “in-person” interpreter or a VRI service.

Although the Commission has previously cautioned about the misuse of VRS as a substitute for “in-person” sign language interpreting services or VRI,<sup>2</sup> we continue to receive reports that this is occurring.

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<sup>1</sup> See 47 C.F.R. § 64.601(17).

<sup>2</sup> See, *e.g.*, *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CC Docket No. 98-67, Order on Reconsideration, 16 FCC Rcd 4054, at 4058, para. 10 (June 5, 2000); *See Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CC Docket Nos. 90-571 & 98-67, CG Docket No. 03-123, Report and Order, Order on

We are concerned that the misuse of VRS may be partially responsible for the large increase in minutes of use of VRS.<sup>3</sup> We understand that VRS providers generally have procedures in place to terminate calls where VRS is being used as a way to obtain free interpreting services. However, we also understand that persons misusing VRS may be doing so in ways to avoid detection, and are also publicizing these methods via consumer bulletin boards and other means.

We are mindful that employers, state and local government entities, and public accommodations are required under the ADA to provide persons with hearing disabilities a reasonable accommodation, and that the accommodation may entail the use of a sign language interpreter. However, VRS cannot be used as a substitute for using an in-person interpreter or VRI in situations that would not, absent one of the parties' hearing disability, entail the use of the telephone.

We will continue to carefully scrutinize the provision and use of VRS to ensure that it is being used only as a means of accessing the telephone system, not as a substitute for VRI or as a means to gain free "in-person" interpreting services. We encourage persons requiring interpreting service and providing interpreting services, as well as VRS providers, to report any improper use of VRS to the Commission so that we may ensure that the Interstate TRS Fund is compensating only legitimate VRS calls. We will continue to closely monitor alleged instances of the wrongful use of VRS, and take whatever enforcement action is necessary and appropriate against such misuse.

The full text of this *Public Notice* and copies of any subsequently filed documents relating to this matter will be available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12<sup>th</sup> Street, S.W., Room CY-A257, Washington, D.C. 20554. This document and copies of subsequently filed documents in this matter may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc. (BCPI), Portals II, 445 12<sup>th</sup> Street, S.W., Room CY-B402, Washington, D.C. 20554. Customers may contact BCPI at its web site, [www.bcpweb.com](http://www.bcpweb.com) or call 1-800-378-3160.

To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY). This *Public Notice* can also be downloaded in Word or Portable Document Format (PDF) at: <http://www.fcc.gov/cgb/dro>.

For further information regarding this *Public Notice*, contact Thomas Chandler, Consumer & Governmental Affairs Bureau, Disability Rights Office, at 202 418-1475 (voice), 202 418-0597 (TTY), or [thomas.chandler@fcc.gov](mailto:thomas.chandler@fcc.gov).

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Reconsideration, and Further Notice of Proposed Rulemaking, 19 FCC Rcd 12475, at 12537 n.466 (June 30, 2004); *Federal Communications Commission Clarifies That Certain Telecommunications Relay Services (TRS) Marketing and Call Handling Practices are Improper and Reminds That Video Relay Service (VRS) May Not Be Used As A Video Remote Interpreting Service*, CC Docket No. 98-67, CG Docket No. 03-123, Public Notice, 20 FCC Rcd 1471 (Jan. 26, 2005); *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CC Docket No. 98-67, CG Docket. No. 03-123, Order on Reconsideration, FCC 05-139, at n.109 (July 19, 2005).

<sup>3</sup> The Interstate TRS Fund reimbursed 869,003 minutes of VRS usage for June 2004 and 2,136,657 minutes for June 2005.